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5

6 UNITED STATES DISTRICT COURT
7
8 NORTHERN DISTRICT OF CALIFORNIA
9
10 OAKLAND DIVISION
11

12 UNITED STATES OF AMERICA,)	No. CR-11-279 SBA
)	
13 Plaintiff,)	STIPULATED REQUEST TO CONTINUE
)	CHANGE OF PLEA AND SENTENCING
14 v.)	HEARING DATE TO OCTOBER 26, 2011
)	AND TO EXCLUDE TIME UNDER THE
15 ROBERT EDWARD WEAGLE,)	SPEEDY TRIAL ACT AND ORDER
)	
16 Defendant.)	Hearing Date: October 20, 2011
)	Time: 10:00 a.m.
17 _____)	

18 The above-captioned matter is set on October 20, 2011 before this Court for change of
19 plea and judgment and sentencing. The parties jointly request that the Court continue the matter
20 to October 26, 2011 at 10:00 a.m. for entry of plea, judgment, and sentencing, and that the Court
21 exclude time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(1)(G) and 18 U.S.C. §§
22 3161(h)(7)(A) and (B)(iv), between the date of this stipulation and October 26, 2011.

23 Counsel for Mr. Weagle is ill and is unable to come to court. Counsel anticipates that he
24 will be available on October 26, 2011 to proceed with the change of plea and with sentencing.

25 DATED: October 20, 2011

/S/
JOSHUA HILL
Assistant United States Attorney

26 DATED: October 20, 2011

/S/
JOHN PAUL REICHMUTH
Assistant Federal Public Defender

1 **ORDER**


2 Based on the reasons provided in the stipulation of the parties above, the Court hereby
3 FINDS:

- 4 1. Counsel for the defendant is unavailable due to illness; and
5 2. The Court has taken the plea agreement under submission to allow United States
6 Probation Office to prepare a pre-plea presentence investigation report.

7 Based on these findings, IT IS HEREBY ORDERED that this matter is continued to
8 October 26, 2011 at 10:00 a.m. for change of plea and judgment and sentencing.

9 IT IS FURTHER ORDERED that time is excluded from the date of this Stipulation to
10 October 26, 2011 under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), to assure
11 the defendant continuity of counsel; and under 18 U.S.C. § 3161(h)(1)(G), based on the Court's
12 consideration of the proposed plea agreement to be entered into by the defendant and the
13 attorney for the government.

14
15 DATED:10/21/11


HON. SAUNDRA BROWN ARMSTRONG
United States District Judge